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## Third Committee

**Summary record of the 35th meeting**
Held at Headquarters, New York, on Thursday, 8 November 2012, at 3 p.m.

*Chair*: Mr. Mac-Donald ..... (Suriname)
*later*: Ms. Alfeine (Vice-Chair) ..... (Comoros)

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*The meeting was called to order at 3.15 p.m.*

**Agenda item 27: Social development** (*continued*)

**(a) Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly** (*continued*)

**(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family** (*continued*)

**(c) Follow-up to the International Year of Older Persons: Second World Assembly on Ageing** (*continued*)

*Draft resolution A/C.3/67/L.11: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly*

1. **Mr. Chir** (Algeria), introducing the draft resolution on behalf of the Group of 77 and China, expressed the concern that achievement of the goals set at the World Summit for Social Development was being hindered by the international financial and economic crisis and other factors such as climate change. The draft resolution underlined the importance of maintaining and enhancing international support for national capacity-building in the area of social development. More efforts were needed to create an enabling environment, in particular to solve the external debt problem. The draft resolution took into account the outcome of the United Nations Conference on Sustainable Development held in Rio de Janeiro earlier in the year and the ministerial declaration adopted at the high-level segment of the 2012 substantive session of the Economic and Social Council.

*Draft resolution A/C.3/67/L.12: Preparation for the observance of the twentieth anniversary of the International Year of the Family*

2. **Mr. Chir** (Algeria), introducing the draft resolution on behalf of the Group of 77 and China, said that the twentieth anniversary of the International Year of the Family provided a useful opportunity to draw further attention to its objectives and strengthen family-centred policies and programmes as part of an integrated comprehensive approach to development. Based on the previous resolution, the text took into account the resolution on the subject adopted by the Economic and Social Council.

*Draft resolution A/C.3/67/L.13: Follow-up to the Second World Assembly on Ageing*

3. **Mr. Chir** (Algeria), introducing the draft resolution on behalf of the Group of 77 and China, said that it acknowledged that urgent action was needed to accelerate implementation of action plans on ageing. It encouraged the international community, including donors, to support national efforts to eradicate poverty, while bearing in mind that States had primary responsibility for their own economic and social development. The text took note with appreciation of the Open-ended Working Group on Ageing, invited States and United Nations bodies to continue to contribute to its work and requested the Secretary-General to continue to provide it all the necessary support to organize a working session in 2013.

**Agenda item 28: Advancement of women** (*continued*)

**(a) Advancement of women** (*continued*)

*Draft resolution A/C.3/67/L.19: Intensification of efforts to eliminate all forms of violence against women*

4. **Mr. Mynarends** (Netherlands), introducing the draft resolution, said that Austria, Belgium, Bulgaria, Croatia, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malawi, Malta, Mexico, Norway, Poland, Portugal, the Republic of Moldova, Romania, Slovenia, South Africa, Spain, Sweden and Turkey had joined the sponsors.

5. Violence prevented women and girls worldwide from participating fully in society. According to estimates between 17 and 38 per cent of women around the world suffered from violence, mostly at home, and the numbers continued to grow. States must take action to end such abuse and ensure safety and justice for women and girls subjected to violence. The draft resolution focused on the need to take action in the legal, social and economic spheres to prevent and eliminate violence against women and girls.

6. **Mr. Gustafik** (Secretary of the Committee) announced that Burkina Faso, Georgia, Guatemala, Liberia, Mali, Mongolia, Peru, Senegal, Serbia, Slovakia and the former Yugoslav Republic of Macedonia had joined the sponsors.

**Agenda item 65: Promotion and protection of the rights of children** (*continued*)

**(a) Promotion and protection of the rights of children** (*continued*)

*Draft resolution A/C.3/67/L.23: Rights of the child*

7. **Mr. Rivas** (Uruguay), introducing the draft resolution, said that Croatia, Honduras and Monaco had joined the sponsors.

8. Emphasis had been placed in the draft resolution on the challenges to the full enjoyment of the rights of the child, in the areas of discrimination, poverty, education, health, nutrition, violence and sexual exploitation. The text also considered the special needs of children living in particularly difficult situations and affected by armed conflict. Moreover, the draft resolution focused on the rights of indigenous children and their special needs. National policies were needed to protect them and enable them to participate fully in society.

9. **Mr. Gustafik** (Secretary of the Committee) announced that Albania, Burkina Faso, Georgia, Kyrgyzstan, Malawi, Mali, Mongolia, the Niger, the Republic of Moldova, San Marino, Serbia, Senegal and the former Yugoslav Republic of Macedonia had joined the sponsors.

**Agenda item 66: Rights of indigenous peoples** (*continued*)

**(a) Rights of indigenous peoples** (*continued*)

*Draft resolution A/C.3/67/L.24: Rights of indigenous peoples*

10. **Mr. Llorentty** (Plurinational State of Bolivia), introducing the draft resolution, said that the adoption of the Declaration on the Rights of Indigenous Peoples had been a landmark in the history of the United Nations and for the more than 370 million indigenous people throughout the world. Another landmark would be the World Conference on Indigenous Peoples to be held in 2014. The draft resolution referred to a number of resolutions adopted in that connection as well as the proclamation by the General Assembly of 2013 as the International Year of Quinoa. It requested the Secretary-General to prepare by May 2014 a comprehensive last report on the achievement of the goals and objectives of the Second International Decade of the World's Indigenous Peoples and its impact on the Millennium Development Goals, in preparation for the World Conference.

11. **Mr. Gustafik** (Secretary of the Committee) announced that Norway and Peru had joined the sponsors.

**Agenda item 68: Right of peoples to self-determination** (*continued*)

*Draft resolution A/C.3/67/L.29: Universal realization of the right of peoples to self-determination*

12. **Mr. Butt** (Pakistan), introducing the draft resolution, said that Libya, Madagascar, Maldives, Mali and Uganda had joined the sponsors.

13. Without realization of the right of peoples to self-determination, which was enshrined in the Charter of the United Nations, no other human rights could be enjoyed. The 1993 World Conference on Human Rights held in Vienna and other international meetings had affirmed the right to self-determination of all peoples under colonial or other forms of alien domination or foreign occupation. The text of the draft resolution was similar to the consensus text adopted at the sixty-sixth session, with a few technical changes.

**Agenda item 69: Promotion and protection of human rights** (*continued*)

**(a) Implementation of human rights instruments** (*continued*)

*Draft resolution A/C.3/67/L.25: Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto*

14. **Ms. Leveaux** (Sweden), introducing the draft resolution, said that Bolivia, Brazil, Chile, Costa Rica, Croatia, Cyprus, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Ireland, Jordan, Malta, Panama, Portugal, Romania and Serbia had joined the sponsors.

15. She welcomed the fact that the Convention on the Rights of Persons with Disabilities had enjoyed a very high level of ratification in a short time and already had 126 States parties, Afghanistan being the newest. In 2011, thanks to the Third Committee's resolution, the Committee on the Rights of Persons with Disabilities had been granted an additional week of meeting time, without which it would undoubtedly have become obsolete. The draft resolution before the Committee requested necessary additional meeting time for the Committee on the Rights of Persons with Disabilities.

16. **Mr. Gustafik** (Secretary of the Committee) announced that Burkina Faso, Cameroon, Côte d'Ivoire, Georgia, Latvia, Liberia, Mali, Mongolia, Montenegro, Morocco, Namibia, Norway, Peru, the Republic of Moldova, the Russian Federation, Slovakia and the former Yugoslav Republic of Macedonia had joined the sponsors.

*Draft resolution A/C.3/67/L.26: Torture and other cruel, inhuman or degrading treatment or punishment*

17. **Ms. Kofoed** (Denmark), introducing the draft resolution on behalf of the main sponsors, said that Andorra, Armenia, Brazil, Georgia, Guatemala, Maldives, Mongolia, New Zealand, the Republic of Moldova, Slovakia, Turkey and Uruguay had joined the sponsors.

18. One of the fundamental principles of the United Nations was the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment. Nevertheless, torture continued to be used in all regions of the world. The draft resolution acknowledged the role of national and international bodies in the fight against such practices. Cooperation with States was crucial, especially in ensuring follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms. The draft resolution also underlined the importance of States becoming parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

19. **Mr. Gustafik** (Secretary of the Committee) announced that Albania, Bolivia, Burkina Faso, Mali, Panama, San Marino, Senegal, Serbia, the former Yugoslav Republic of Macedonia and Ukraine had joined the sponsors.

**Agenda item 69: Promotion and protection of human rights** (*continued*)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (*continued*)

*Draft resolution A/C.3/67/L.27: The United Nations human rights training and documentation centre for South-West Asia and the Arab region*

20. **Mr. Al-Mesallam** (Qatar), introducing the draft resolution, said that the United Nations human rights training and documentation centre for South-West Asia and the Arab region carried out its work in line with international human rights standards. Since its creation, the Centre had conducted consultations on United Nations human rights mechanisms, human trafficking, media and human rights education. Owing to developments in the Middle East and North Africa, the Centre had taken on increased importance and was receiving an increasing number of requests for training and documentation. The host country had supported the establishment of the Centre but additional resources were required. The draft resolution requested the Secretary-General to provide funds and human resources to enable the Centre to respond effectively to the growing needs.

*Draft resolution A/C.3/67/L.28: The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights*

21. **Mr. El Mkhantar** (Morocco), introducing the draft resolution, said that Côte d'Ivoire, Guatemala, Madagascar, Montenegro, New Zealand, Serbia, Slovakia, Switzerland, Thailand, Turkey, the United Arab Emirates and the United States of America had joined the sponsors.

22. The Secretary-General's report (A/67/288) had taken into account national and international measures taken to implement General Assembly resolution 65/207. The draft resolution encouraged Member States to consider the creation or the strengthening of independent and autonomous ombudsman, mediator and other national human rights institutions in order to promote and protect human rights and endow those bodies with an adequate legislative framework and financial means in order to ensure the efficient and independent exercise of their mandate. It was the right of States to choose the framework best suited to their particular national needs.

23. **Mr. Gustafik** (Secretary of the Committee) announced that Albania, Andorra, Burkina Faso, Cameroon, the Comoros, Georgia, Japan, Latvia, Mali, Peru, the Republic of Moldova, Senegal and the former Yugoslav Republic of Macedonia had joined the sponsors.

**Agenda item 103: Crime prevention and criminal justice** (*continued*)

*Draft resolution A/C.3/67/L.17/Rev.1: United Nations African Institute for the Prevention of Crime and the Treatment of Offenders*

24. **Ms. Kaferro** (Uganda), introducing the draft resolution on behalf of the Group of African States,

said the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders promoted cooperation among Governments, academics, institutions and non-governmental organizations in the field of criminal justice and crime prevention. Amendments to the text of the draft resolution reflected information contained in the Secretary-General's report (A/67/155). Paragraph 4, added in recognition of the increasing shift in focus from punitive to correctional measures, called for the use of alternative remedial measures, using local traditions, counselling and other emerging correctional rehabilitation measures, consistent with obligations under international law.

**Agenda item 69: Promotion and protection of human rights** (A/67/387–S/2012/717 and A/67/390) (*continued*)

**(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms** (A/67/56, 159, 163, 178, 181, 226, 260 and Add.1, 261, 267, 268, 271, 275, 277, 278, 285-289, A/67/292, 293, 296, 299, 302-305, 310, 357, 368, 380 and 396) (*continued*)

**(c) Human rights situations and reports of special rapporteurs and representatives** (A/67/327, 333, 362, 369, 370, 379 and 383 and A/C.3/67/4) (*continued*)

25. **Mr. Mnisi** (Swaziland) said that his country's Constitution protected and promoted human rights in accordance with the Universal Declaration of Human Rights and other international instruments. In September 2012, Swaziland had ratified the Convention on the Rights of Persons with Disabilities and its Optional Protocol as well as the optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography. Freedom of expression and opinion was exercised through grass-roots consultations, one of which had recently addressed issues of national development. In his country, human rights must be exercised in a moral framework rooted in human dignity, not at the expense of the rights of others. For example, freedom of expression was guaranteed, provided no individual, culture or religion was disrespected.

26. His delegation believed that greater importance should be attached to the right to development, so that everyone enjoyed the benefits of globalization. The international community should pay more attention to economic, social and cultural rights. Developed countries should do more to honour their commitments in terms of development assistance, technology transfer, debt reduction and market access as genuine development implied integral respect for human life and dignity. His Government was committed to the full respect of all universal, indivisible, interdependent and interrelated human rights, international law and all the principles outlined in the Charter of the United Nations.

27. **Ms. Alfeine** (Comoros), Vice-Chair, took the Chair.

28. **Mr. Wang** Min (China) said that, despite positive developments in international human rights, serious discrimination continued to exist and certain religions were being increasingly demonized. The international community must refrain from interfering in countries' internal affairs under the pretext of human rights, showing disregard for the Charter of the United Nations, and reject politicization and double standards. Some countries put pressure on developing countries with country-specific human rights issues while turning a blind eye to violations at home. Echoing calls from developing countries for the right to development, he said that developed countries should honour their official development assistance commitments and increase financial and technical support for developing countries, instead of criticizing their human rights situations.

29. His delegation was concerned at the recent video defaming Muslims that had provoked widespread protests and opposed any action that offended the religious sensitivities of Muslims. States must enforce a zero-tolerance policy on racism and not acquiesce to it under the pretext of freedom of expression.

30. In view of the continuing economic crisis, which posed greater challenges for social development, his delegation called for vulnerable groups to be protected with a view to ensuring equality and dignity for all. China supported the organization of a High-level Meeting on Disability and Development in 2013 and the World Conference on Indigenous Peoples in 2014.

31. The United Nations should effectively apply the principle of equitable geographical distribution and

increase the representation of developing countries in United Nations human rights bodies. The Office of the High Commissioner for Human Rights should enhance its objectivity, equitability and transparency and accept the supervision of the Human Rights Council. Special procedures and human rights treaty bodies should abide by the Code of Conduct and comply strictly with their respective mandates. The core of human rights system reform should be the intergovernmental process, where Member States played the leading role.

32. For three decades the Chinese Government had followed a human rights development path with Chinese characteristics, bringing benefits to the Chinese people and contributing to the international human rights endeavour. China was ready to strengthen dialogue and cooperation with other countries on the basis of equality and mutual respect.

33. **Mr. McLay** (New Zealand) said that respect for universal human rights was fundamental to his country's domestic and foreign policy. New Zealand had supported the human rights treaty body system since its inception and maintained a standing invitation to all holders of United Nations special procedures mandates.

34. As political change swept across much of North Africa and the Middle East clear lessons had emerged for Governments and citizens. Once unleashed the demand for human rights and human dignity was virtually unstoppable. The countries with the most success in navigating those upheavals were those whose Governments had met their citizens' demands through a meaningful and inclusive political process. The international community must lend full support to assist and enhance that process.

35. In 2011, his delegation had warned that Governments that applied military solutions to political and social crises risked pushing their countries to the edge of disaster. That had been seen in the Syrian Arab Republic, where the plight of ordinary citizens was deteriorating and civil war had begun to destabilize the region. Within the country it was inflicting wounds that could take generations to heal. Immediate steps must be taken to protect lives and, while his delegation supported the ongoing efforts of the Joint Special Representative for Syria, it believed that a broad-based, inclusive political settlement was necessary, including a meaningful transition of power.

36. Turning to the issue of women's empowerment, he said that no society could reach its full potential if it denied basic rights and the opportunity for full participation in all aspects of life to more than half its population. Women and girls around the world faced multiple barriers that prevented them from gaining an education, owning property, entering the workforce or holding political office. They experienced horrific violence and abuse, in particular if they challenged their situation. It was essential to tackle those issues and the deeply ingrained attitudes underlying them.

37. **Mr. Lupan** (Republic of Moldova) said that the issue of human rights was a work in progress but human rights were better enjoyed in appropriate conditions for development, decent work and well-being. Social and political movements in many parts of the world, including Eastern Europe and the Middle East, had revealed the obvious link between the protection of human rights and civic participation, on the one hand, and political stability and economic prosperity, on the other. A sound economy could be a good premise for the universal enjoyment of human rights while respect for democratic principles and the rights to education, freedom of expression and non-discrimination were incentives for true democratic development.

38. The Republic of Moldova had undergone turbulent times, suffering undemocratic practices in the past, in particular with regard to the rule of law. Since the rule of law and independence of the judiciary were preconditions for guaranteeing public trust, order and human rights, foreign direct investment and sustainable economic development, as a priority his Government had been strengthening the judiciary in line with European standards. A State party to nearly all United Nations human rights treaties and their optional protocols, the Republic of Moldova had adopted legislation on national minorities, labour migration, human trafficking, domestic violence and gender equality.

39. His Government was concerned about the situation of human rights in the Transnistrian region, where a separatist regime had long disrespected people's freedoms. The European Court of Human Rights had confirmed human rights violations in the administration of schools in the region, calling on the international community to pay attention to breakaway regions like Transnistria. Human rights were a priority in his Government's negotiations with the Transnistrian

administration, the latest round of which had already offered a favourable platform to address violations and other humanitarian questions.

40. **Mr. Nkoloi** (Botswana) said that his country had made progress in the realm of human rights through a broad-based and inclusive consultative approach involving citizens and all stakeholders. In particular, it had made significant strides in the promotion and protection of the rights of women and children. In 2008, the National Assembly had adopted the Domestic Violence Act, aimed at eradicating violence against women and children. The Children's Act of 2009, which incorporated fully the provisions of the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child, would protect the rights of children and promote their physical, emotional, intellectual and social development and well-being. Much remained to be done, but his Government was committed to doing all it could to ensure the full enjoyment of human rights and fundamental freedoms.

41. Botswana was preparing for its second cycle of the universal periodic review in January 2013. Although the mechanism had been successful it needed to be further improved. His delegation wished to note that some of the special procedure mandate holders had interpreted their clear mandates according to a narrow and sometimes personal agenda. The adoption of General Assembly resolution 62/149 on a moratorium on the use of the death penalty had been an unacceptable attempt to impose certain norms and values on others. Botswana was party to several human rights instruments, none of which prohibited the death penalty. Article 6 of the International Covenant on Civil and Political Rights placed no obligation on States to abolish it while imposing limitations on its application. The death penalty was not imposed arbitrarily in Botswana, but its people believed it to be proportionate to the most serious of crimes and an effective deterrent. In view of public opinion, the Government of Botswana could not commit itself to a moratorium on the death penalty or its abolition, but would continue to monitor the views of its people.

42. **Mr. Starčević** (Serbia) said that, despite the emergence of new situations, the international community should not ignore longstanding violations of fundamental human rights. Serbs and other non-Albanians continued to face a difficult situation in the Serbian Province of Kosovo and Metohija, over which his Government had lost control in 1999. Statistics showed, inter alia, that of the 250,000 Serbs and other non-Albanians forced to leave the province in 1999, only 22,982 had returned, and many of those who did return home faced administrative obstacles to property return and hostility from local populations. Of the 427 communities formerly inhabited by Serbs, 311 had been ethnically cleansed. In his report to the General Assembly, the Secretary-General had given details of murders, looting and attacks on returnees, including minors, and acts of vandalism and religious intolerance.

43. The restitution of property in the province remained one of the main unresolved issues. There had been a high level of property destruction while insufficiently transparent and efficient mechanisms for restitution directly affected many returnees. There were reports of destruction, damage, desecration and theft concerning numerous Serbian churches, monasteries, graveyards, icons and other ecclesiastic and liturgical items, while the Serbian cultural identity was being systematically denied and replaced.

44. His delegation was concerned that there had been no results of the investigation in response to the Council of Europe report entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo". Submitted by the Rapporteur Mr. Dick Marty in January 2011, it had contained serious allegations of unprecedented crimes occurring during and after the conflict in 1999.

45. The province had been under United Nations interim administration since 1999 but its final status had yet to be resolved. The unilateral declaration of independence of Kosovo in 2008 had further diminished the possibilities for any substantial improvement of human rights. His Government remained committed to resolving all outstanding issues related to Kosovo in a spirit of compromise and wished to continue dialogue between Belgrade and Priština with a view to reaching lasting, sustainable and mutually acceptable solutions in full respect for and protection of the human rights of all inhabitants of Kosovo and Metohija.

46. **Mr. Kohona** (Sri Lanka) said that, following the defeat of terrorism in his country, his Government had taken far-reaching steps to consolidate the peace by strengthening democratic institutions and processes, while seeking reconciliation and promoting human

rights. One outcome of Sri Lanka's cooperation with the universal periodic review in 2008 had been the formulation of a national plan of action for promoting and protecting human rights in line with the 1993 Vienna Declaration and the Programme of Action, which his country had begun implementing.

47. The promotion and protection of human rights could not be accomplished without improving social, economic and cultural rights. Sri Lanka's post-conflict challenges included supporting 300,000 internally displaced persons and ensuring their resettlement while restoring security, law and order and civil administration. Sri Lanka had established the Lessons Learned and Reconciliation Committee, based upon the concept of restorative justice.

48. The Liberation Tigers of Tamil Eelam had assailed democracy in his country for nearly three decades and the collective psyche had been scarred. His Government had embarked on reconstruction and reconciliation with a decisive electoral mandate. While grappling with terrorism Sri Lanka had continued to cooperate with the international community, including the United Nations human rights mechanisms, and was waiting for a confirmation of the dates of the visit by the High Commissioner for Human Rights. His delegation called for constructive, fair, non-selective and objective assessments to be made of Sri Lanka's post-conflict situation based on the reality on the ground.

49. **Mr. Desta** (Eritrea) said that his country had been committed for two decades to healing the wounds of war. Ensuring peace and security, accelerating the development agenda and preserving its people's dignity were among Eritrea's top priorities. His Government was working to achieve them by reinvigorating economic growth, creating income-earning opportunities for the poor, enhancing access to essential social services and putting in place an enabling environment for human rights and fundamental freedoms.

50. Eritrea had signed and ratified the main international human rights instruments and had incorporated their provisions into national law, inter alia criminalizing female genital mutilation. In 2010, the Ministry of Justice had designed a strategic framework for an open, objective, effective and accountable justice system. In recent years, the Government had made significant progress in guaranteeing the right to food, education and health, while reducing maternal and infant mortality and reliance on external food aid. The Constitution and transitional codes guaranteed the inviolability of the inherent dignity of all persons. The transitional penal code made it a crime to subject persons to torture or cruel, inhuman or degrading treatment or punishment. Every citizen enjoyed legally protected freedom of conscience and religion.

51. His delegation rejected any attempt to use human rights instruments as tools to exert political pressure on his country, as had been the case in July and September 2012, when Eritrea had been the target of sweeping accusations based on outdated information at meetings of the Human Rights Council. His delegation hoped the Human Rights Council would not be compromised in the way the Commission on Human Rights had been. Eritrea took its obligations seriously and cooperated with the Council, inter alia through the universal periodic review. In 2009, several States had reviewed the human rights situation in his country, which was working to implement their recommendations. The next review by the Human Rights Council was due in 2014. Eritrea would address its human rights challenges on the basis of broad political participation, a sense of freedom and respect for the rule of law.

52. **Ms. Vadiati** (Islamic Republic of Iran) said that countries claiming to be human rights champions were manipulating human rights issues to serve their own biased aims. For example, Canada denied the freedom of expression by suppressing peaceful protests while the situation of women and minorities was of concern. Canada should meet all its obligations under international human rights law. The United Kingdom was aiding authoritarian regimes and equipping armed terrorists in the Middle East and North Africa. Her delegation was concerned at restrictions on the freedom of expression in the United Kingdom, in particular on the Internet and in the social media.

53. The European Union, where extremism remained prevalent, had been unwilling to tackle human rights abuses within its member States, including violations against the Roma, in particular in the Czech Republic. Excessive use of force had been perpetrated in the repression of peaceful demonstrations in many European States. She expressed concern at the prosecution of the Occupy Wall Street movement in the United States and at the breach of human rights through detentions and restrictions on public speech in

Australia. Restrictions on immigration and the freedom of speech in Australia were tantamount to violations of human rights. Her country continued to monitor the human rights situation around the world.

54. **Mr. Camilo Ruiz** (Colombia) said his country had been striving to frame a comprehensive policy to promote and protect human rights and international humanitarian law through a five-year national plan. Colombia had been working on a national human rights system, which included a human rights commission, created inter alia to lay down guidelines on citizenship, culture, education, civil and political rights, international humanitarian law and armed conflict, economic, social and environmental rights, justice and equality, non-discrimination and respect for identity. Working in conjunction with the human rights system, a national mechanism had been established to offer care and compensation for victims of human rights abuses.

55. In December 2012, State bodies and civil society would be taking part in a national conference on human rights. Colombia had set up a national guarantees board and designed a strategy for strengthening dialogue with a view to reaching agreements on the protection and investigation aspects of protecting human rights. In 2011, Colombia had created a national agency for protecting those at risk from extreme violence, including judges, human rights defenders, witnesses, trade unionists, displaced persons and journalists. His country had taken measures to implement a strategy preventing the use of children and adolescents by illegal armed groups. A series of measures had been taken to help the victims of violence in the country, on the basis of reconciliation and compensation. Despite the size of the challenges, his Government had made progress in adopting structural and legal measures to tackle them resolutely.

56. **Mr. Oh** (Singapore) said that while the ideal of human rights had enjoyed universal support, views on the issue remained highly diverse in a pluralistic world. As the United Nations sought common ground on the promotion and protection of human rights, it had to respect the historical and cultural differences of its Member States, while recognizing their aspirations and development needs.

57. As a young city-State with a multiracial, multi-faith and multilingual population, Singapore strongly backed the rule of law as a means of ensuring stability, equality and social justice. It believed in the need to strike a balance between exercising rights and bearing responsibilities, placing equal emphasis on the protection of societal and individual rights.

58. No country or group had the right to impose its position on the rest of the world, as that would only further divide Member States and impede efforts to find common ground. Specific national circumstances and aspirations must be taken into account but should not be used as an excuse to commit gross violations of human rights. It would be regrettable if States paid lip service to the Committee's resolutions. He urged Member States to be open to the views of others and respect their unique circumstances in order to pursue the common objective of furthering the international consensus on human rights.

59. **Mr. Le Hoai Trung** (Viet Nam) said that since 2011 there had been substantive discussions on strengthening the treaty body system and endorsing the human rights policy in all United Nations peace operations and missions. Yet people worldwide were even harder hit by the negative impact of the global financial and economic crisis on the enjoyment of their rights to decent work, development, health care, education and basic social services. New difficulties had arisen in the reduction of poverty, one of the international community's greatest challenges, leading to discriminatory policies and practices. The recent release of a video insulting Islam demonstrated how the right to freedom of expression and press freedom could be abused to incite religious and ethnic hatred or cause public disorder. International human rights law and national legislatures must strike a balance between rights and duties.

60. Viet Nam considered people to be the driving force of national development. The country's poverty rate had been reduced, policies had been passed to grant universal access to education and improve health care, and steps had been taken to encourage the preservation of traditions and culture, in particular those of ethnic minorities. Civil and political rights had been strengthened, with increased powers for the National Assembly, the exercise of religious freedoms and improved access to the media, including the Internet. The Vietnamese Government had given high priority to legal, administrative and judiciary reform to improve the protection of people's rights. It had established dialogue mechanisms for cooperation in the protection and promotion of human rights with

Australia, the United States and a number of European countries. His delegation acknowledged that the protection and promotion of human rights was a long and continuous process, requiring not only government efforts but also the participation of every citizen.

61. **Ms. Adhikari** (Nepal) said her country greatly valued the promotion and protection of human rights and had enacted legislation in order to protect the rights of all sections of society. It had set up a National Human Rights Commission to investigate alleged violations and make recommendations for action against the perpetrators. Nepal was strengthening all national human rights institutions related to human rights, including those related to indigenous peoples and women.

62. The right to development was central to her Government's efforts. Her delegation called on the international community to translate the commitments in the Declaration on the Right to Development into reality, focusing on the eradication of poverty and hunger while ensuring inclusive and participatory development for all peoples.

63. Nepal's independent judiciary played an important role in safeguarding rights and fundamental freedoms under the constitution. The country's independent media and civil society organizations had been raising awareness of human rights and fundamental freedoms.

64. The advancement of women was at the top of Nepal's agenda for socio-economic development. Her country was party to the Convention on the Elimination of All Forms of Discrimination against Women and had been implementing a national action plan. It had also adopted legislation to protect the rights of the child, as party to the Convention on the Rights of the Child and its two protocols. In an interconnected world, the international community must protect the rights of all migrant workers and members of their families. Her delegation expressed concern at the increase in incidents of xenophobia and intolerance around the world, which undermined human rights.

65. **Ms. Klein Solomon** (International Organization for Migration — IOM) said that in a globalized world it was important to recognize that migrants' rights were human rights. With regard to the report of the Special Rapporteur on the human rights of migrants, she said that IOM agreed that migration must be part of the response to climate change. Instead of being perceived as a failure to adapt to a changing environment, migration could be part of an important adaptation strategy for addressing climate and environmental change. Moreover, States had the obligation to protect the human rights of all individuals under their jurisdiction, regardless of their migratory status. The protection of migrants' human rights was essential for good migration management but needed to be fully integrated into national legislation and policy frameworks. Government officials should be properly trained in the protection of migrants' human rights.

66. Turning to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, she said that most obligations under the Convention already existed and were binding on most States, whether or not they had ratified the Convention. She drew attention to the particular vulnerabilities of migrant domestic workers, many of whom were trapped in difficult situations and struggled to seek redress in criminal justice systems owing to their isolation and the lack of protection for them under labour laws.

67. Lastly, she said that IOM welcomed the report of the Special Rapporteur on the human rights of internally displaced persons. It was essential to address the major trends outlined, including urbanization and climate change, as they resulted in large-scale displacement. Welcoming the increasing number of States incorporating the Guiding Principles on Internal Displacement in their national legislation, she said that IOM was committed to working with those Governments on their implementation efforts.

*Statements made in exercise of the right of reply*

68. **Ms. Alsaleh** (Syrian Arab Republic) said that the culture of human rights had been seriously infected when European Union countries had begun exporting it to developing countries while forgetting their own dishonourable human rights record, in particular towards the Roma and Muslim communities. Her delegation had not heard any apologies for their imperial history. She drew attention to the inhuman treatment of immigrants by the Australian Government and expressed surprise at Canada's call for protection of the freedom of religion when it had committed crimes against indigenous peoples, inter alia forcing indigenous children to wear Christian clothes. Finally, she called on New Zealand to respect the inalienable right of the Maori people to their land.

69. **Mr. Kilic** (Turkey) said that the representative of Greece had tried to convince the Committee that the years between 1963 and 1974 had not existed. During that period, Turkish Cypriots had lived under siege conditions, with 180,000 persons confined to enclaves covering only 3 per cent of the island. In 1963, Turkish Cypriots had been ousted at gunpoint from the Government and an ethnic cleansing plan had been put into effect, depriving Turkish Cypriots of their constitutional safeguards. Following a military coup in 1974 aimed at annexing Cyprus to Greece, Turkey had intervened in accordance with its international responsibilities as guarantor power. Despite voting in 2004 for the United Nations plan, Turkish Cypriots continued to live in unacceptable isolation under inhumane restrictions imposed by the so-called State. Efforts to end those restrictions did not contravene any United Nations resolutions. His delegation called for the international community to make economic, commercial and social contacts with the Turkish Cypriots without delay.

70. **Mr. Kariv** (Israel) said that the Palestinian representative had painted a one-sided picture of the conflict. Hamas and Islamic Jihad had fired thousands of rockets at Israeli civilians in gross violation of human rights and international humanitarian law. The Israeli security fence had been effective in preventing Palestinian terrorists from entering Israeli cities. Innocent civilians on both sides suffered but, just as Palestinians had the right to freedom of movement in Ramallah, Israeli children had the right to ride a bus in Tel Aviv without the threat of being murdered by a suicide bomber. Unlike many of its neighbours, Israel had an open society where problems were addressed by civil society, the media and one of the world's most impartial judicial systems. Insisting that the road to a viable two-State solution ran through Jerusalem and Ramallah not through New York, his delegation called for negotiations without preconditions.

71. **Mr. Makriyannis** (Cyprus) said that he regretted that the representative of Turkey had distorted historical fact. The answers to the points he had raised could be found in numerous United Nations resolutions. The so-called isolation of Turkish Cypriots was a myth. As full citizens of Cyprus, they enjoyed all the rights, freedoms and privileges of Cypriot and European Union citizens and used Cypriot passports to move, study and settle freely, enjoying worldwide diplomatic assistance. Turkish Cypriots were able to participate in regional and international sporting and cultural events and could work as civil servants. As a unilateral confidence-building measure, Cyprus allowed Turkish Cypriots to receive free medical care. Turkish Cypriots had received millions of euros in economic assistance from Cyprus and the European Union. Meanwhile Turkish troops continued to occupy a significant part of a sovereign country in flagrant violation of United Nations values, denying Greek Cypriots their basic human rights. Turkey should implement all United Nations resolutions, recall its troops from Cyprus and restore the human rights of all Cypriots.

72. **Mr. Kodama** (Japan) said that the remarks by the representative of the Democratic People's Republic of Korea on issues of the past were groundless. Japan had caused considerable suffering to the peoples of many countries but had issued an apology, upholding the principle of resolving all matters peacefully. In the 2002 Pyongyang Declaration, Japan and the Democratic People's Republic of Korea had agreed that, once bilateral relations were normalized, both sides would mutually waive all property claims arising before 15 August 1945 and discuss them in normalization talks.

73. All persons living in Japan, regardless of nationality, must observe Japanese laws and any accusations of oppression of Korean citizens were unfounded. Japan's Constitution guaranteed the equality of all people under the law and Japan was striving to create a society free of discrimination. His country was committed to normalizing relations in line with the Pyongyang Declaration and comprehensively addressing all issues of contention. He strongly urged the Democratic People's Republic of Korea to take action accordingly.

74. **Mr. Kim** Song (Democratic People's Republic of Korea) said that his delegation strongly rejected the statement made by the representative of Canada as groundless. Canada was pursuing the hostile policy of the United States against his country. It also strongly rejected remarks made by the representative of Japan, which were intended to divert attention and evade his country's responsibility for past crimes. Japan's expression of apology without compensation for the victims could have no effect. His country was willing to normalize relations with Japan provided it took responsibility for its past and abandoned its hostile policies towards his country.

75. **Mr. Kodama** (Japan) said that it was regrettable that the Democratic People's Republic of Korea had exercised the right of reply instead of responding to the concerns of the international community. He again urged the Democratic People's Republic of Korea to take action to address those concerns.

76. **Mr. Kim** Song (Democratic People's Republic of Korea) refuted the misleading remarks of the representative of Japan. Japan's aim was to avoid its responsibility for past crimes. He reminded the Committee of the 1996 report of the Special Rapporteur on violence against women, which had called on Japan to accept responsibility for its violations of international law during the Second World War, publicly apologize and pay compensation to individual women victims of Japanese military sexual slavery and raise awareness of the issues by amending educational curricula. Japan must recognize its crimes against humanity and take responsibility for them.

*The meeting rose at 6.30 p.m.*